

HOUSE No. 4347

The Commonwealth of Massachusetts

By Mr. Murphy of Burlington, for the committee on Ways and Means, to whom was referred the Bill authorizing the Massachusetts Turnpike Authority to lease certain property to the Boston Harbor Alliance (House, No. 4312, changed) reports recommending that the same ought to ass with an amendment substituting therefor the accompanying bill (House, No. 4347).

For the committee,

Charles A. Murphy

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

An Act AUTHORIZING THE ROSE FITZGERALD KENNEDY GREENWAY CONSERVANCY TO LEASE CERTAIN PROPERTY TO THE NATIONAL PARK SERVICE.

Whereas, The deferred operation for this act would tend to defeat its purpose, which is forthwith to make authorize the lease of a certain parcel of land to the Rose Fitzgerald Kennedy Greenway Conservancy Inc., therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 10 of chapter 306 of the acts of 2008 is hereby amended by inserting before the word “The”, the first time it appears, the following word:- (a).

SECTION 2. Said section 10 of said chapter 306, as so appearing, is hereby further amended by adding the following 2 paragraphs:-

(b) Notwithstanding any general or special law to the contrary, the conservancy may lease Parcel 14 as shown on the plan, or a portion thereof, to the National Park Service for a period not to exceed the term of the lease executed between the authority and the conservancy pursuant to subsection (a); provided, that any lease shall contain the restriction required pursuant to subsection (c).

(c) Notwithstanding any general or special law to the contrary, the lease described in subsection (b) shall be subject to a restriction limiting the use of the parcel to the construction and operation of a public information pavilion and services related thereto by the Boston Harbor Island Alliance for visitors to the Boston Harbor Islands National Recreation Area. If at any time the parcel described in subsection (a) ceases to be used for the purposes described in this subsection

15 the conservancy shall provide written notice to the Boston Harbor Island Alliance of the
16 unauthorized use. The Boston Harbor Island Alliance shall, upon receipt of the notice, have 30
17 days to respond and a reasonable time to establish an authorized use of the parcel. If an
18 authorized use of the parcel is not thereafter established, the lease of the parcel, upon the
19 recording of a notice thereof by the conservancy in the appropriate registry of deeds, shall
20 terminate and any further disposition of the parcel shall be subject to the approval of the
21 conservancy and the secretary of the Massachusetts department of transportation.